

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last Revised September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE:

Case No. _____

Judge _____

Pagan, Richard & Pagan, Maria

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Modified/Notice Required

Date: March 12, 2020

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney:

Initial Debtor: RP

Initial Co-Debtor: MP

Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ 320.00 per month to the Chapter 13 Trustee, starting on 6/1/2019 for approximately 53 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
☐ Sale of real property
 Description:
 Proposed date for completion: _____
☐ Refinance of real property
 Description:
 Proposed date for completion: _____
☒ Loan modification with respect to mortgage encumbering property
 Description: PROPERTY 61 DOVER ROAD, COLONIA, NJ 07067
 Proposed date for completion: 6 months after confirmation
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ None to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ 2246 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to _____ SNS _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
None			

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: [X]NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
SNS	RESIDENCE	407,30 2.80	0	LOSS MIT/LO AN MOD	2246

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

c. Secured claims excluded from 11 U.S.C. 506: [] NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in	Annual Interest Rate	Total Amount to be Paid

					Collateral		
SPECIALIZED LOAN SERVICING	RESIDENCE	139,930. 52	267,575.0 0	694,477 .39	267,575. 00	0	0

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
None			

f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

None

g. Secured Claims to Be Paid in Full Through the Plan ☐ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
None			

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
None				

Part 7: Motions [] NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [] NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
NEW CENTURY FIN SRVC, INC. C/O WASHINGTON MUTUAL CREDIT CARD	RESIDENCE	JUDICIAL LIEN	6,184.55	267,575.009	0	694617.32	6184.55

b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Total Amount of Lien to be Reclassified
SLS	RESIDENCE	139,930.52	267,575.00	694,477.39	139,930.52	75,813.40

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None					

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

X Upon Confirmation
 Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor

notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

d. Post-petition claims The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 3/12/2020

Explain below why the Plan is being modified.	Explain below how the Plan is being modified.
TREAT MORTGAGE 1ST & 2ND, TREAT JUDGMENT	TREAT MORTGAGE 1ST & 2ND, TREAT JUDGMENT

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, Chapter 13 Plan and Motions, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: MARCH 12, 2020

/s/ Richard Pagan

Debtor

Date: MARCH 12, 2020

/s/ Maria Pagan

Joint Debtor

Date: MARCH 12, 2020

/s/ Edward Hanratty

Attorney for the Debtor(s)

Certificate of Notice Page 8 of 9

United States Bankruptcy Court
District of New JerseyIn re:
Richard Pagan
Maria Pagan
DebtorsCase No. 19-28529-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 46

Date Rcvd: Apr 27, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 29, 2020.

db/jdb Richard Pagan, Maria Pagan, 61 Dover Rd, Colonia, NJ 07067-3907
 aty +Jonathan Schwalb, Friedman Vartolo LP, 85 Broad St. Ste.501, New York, NY 10004-1734
 cr +SN Servicing Corporation, Friedman Vartolo LLP, 85 Broad Street, Suite 501,
 New York, NY 10004-1734

518486245 +++CAC, 2601 NW EXPRESSWAY STE 100W, OKLAHOMA CITY OK 73112-7217
 (address filed with court: CAC, 2601 NW Expressway Ste 100, Oklahoma City, OK 73112-7295)

518486249 Direct Merchants Bank, PO Box 29468, Phoenix, AZ 85038-9468

518486251 +FACS/Sterns, 9111 Duke Blvd, Mason, OH 45040-8909

518486252 +Faloni & Larusso, 175 Fairfield Ave Ste 1-C, West Caldwell, NJ 07006-6415

518486254 Gardetn Sate Anset., 739 E Main St, Bridgewater, NJ 08807-3339

518486255 HSBC, PO Box 5253, Carol Stream, IL 60197-5253

518486257 ML Zager atty for MID Atlantic Pathology, 543 Broadway, Monticello, NY 12701-1127

518576835 Middlesex Emergency Physicians PA, PO Box 1123, Minneapolis MN 55440-1123

518486258 NJ Div of Labor, PO Box 951, Trenton, NJ 08625-0951

518486262 PHEAA/FED LOAN SERV, PO Box 60610, Harrisburg, PA 17106-0610

518486265 RRC, 612 S Gay St, Knoxville, TN 37902-1630

518486267 SERVICING CORPORATION, 323 5th St, Eureka, CA 95501-0305

518486259 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: NJ Division of Taxation, PO Box 281, Trenton, NJ 08695-0281)

518486268 Specialized Loan Servicing, 8742 Lucent Blvd Ste 300, Highlands Ranch, CO 80129-2386

518534841 +State of New Jersey - Dept. of Labor, P.O. Box 951, Trenton, NJ 08625-0951

518486271 THD, PO Box 57117, Sioux Falls, SD 57117

518486272 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit, 5005 N River Blvd NE,
 Cedar Rapids, IA 52411-6634)

518486269 Target, PO Box 59317, Minneapolis, MN 55459-0317

518604321 +U.S. Bank National Association, Trustee (See 410), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

518486273 US Dept of Ed, PO Box 530260, Atlanta, GA 30353-0260

518486275 Wells Fargo Financial, PO Box 94498, Las Vegas, NV 89193-4498

518486244 bill me later, PO Box 105568, Atlanta, GA 30348-5568

518486253 first american acceptance, 2 Industrial Way W, Eatontown, NJ 07724-2265

518486264 prssler, felt, warshaw, llp, 7 Entin Rd, Parsippany, NJ 07054-5020

518486266 rubin & rothman, llc, 178 veterans hwy ste 32, Islandia, NY 11749

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usan.j.njbankr@usdoj.gov Apr 27 2020 23:44:32 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Apr 27 2020 23:44:30 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

518486246 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Apr 27 2020 23:39:53 Capital One,
 PO Box 30281, Salt Lake City, UT 84130-0281

518486247 +E-mail/PDF: DellBKNotifications@resurgent.com Apr 27 2020 23:52:17 CitiBank,
 12234 NIH 35 Bldg B, Austin, TX 78753-1744

518486248 E-mail/PDF: DellBKNotifications@resurgent.com Apr 27 2020 23:52:18 Dell Fin Svces,
 PO Box 6403, Carol Stream, IL 60197-6403

518564113 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Apr 27 2020 23:52:03 Directv, LLC,
 by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

518486250 E-mail/Text: bknotice@ercbpo.com Apr 27 2020 23:44:36 Enhanced Recovery Corp.,
 8014 Bayberry Rd, Jacksonville, FL 32256-7412

518486256 E-mail/Text: sbse.cio.bnc@mail@irs.gov Apr 27 2020 23:44:00 Internal Revenue Service,
 PO Box 24017, Fresno, CA 93779-4017

518486274 E-mail/PDF: ais.chase.ebn@americaninfosource.com Apr 27 2020 23:40:53
 Washington Mutual/Provident, PO Box 660509, Dallas, TX 75266

518626185 +E-mail/PDF: bankruptcy@ncfsi.com Apr 27 2020 23:51:51 NEW CENTURY FINANCIAL SERVICES, INC.,
 110 SOUTH JEFFERSON RD STE 104, WHIPPANY, NJ 07981-1038

518486261 E-mail/PDF: gecsedirecoverycorp.com Apr 27 2020 23:40:48 PC Richard, PO Box 981439,
 El Paso, TX 79998-1439

518603083 +E-mail/PDF: resurgentbknofications@resurgent.com Apr 27 2020 23:51:56 PYOD, LLC,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008

518486260 E-mail/PDF: gecsedirecoverycorp.com Apr 27 2020 23:40:13 Paypal, PO Box 981416,
 El Paso, TX 79998-1416

518491539 +E-mail/PDF: gecsedirecoverycorp.com Apr 27 2020 23:39:45 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

518486270 E-mail/Text: epr@telecheck.com Apr 27 2020 23:45:13 Telecheck, 5251 Westheimer Rd Fl 2,
 Houston, TX 77056-5412

518567146 +E-mail/Text: bknotices@snsc.com Apr 27 2020 23:45:04 U.S. Bank Trust National Association,
 Trustee of the Tiki Series III Trust, c/o SN Servicing Corporation, 323 Fifth Street,
 Eureka, CA 95501-0305

518601745 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Apr 27 2020 23:52:03 Verizon,
 by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 46

Date Rcvd: Apr 27, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

518486263 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 27 2020 23:52:16
portfolio recovery associates llc, PO Box 4115, Concord, CA 94524-4115
TOTAL: 18

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 29, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 24, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor Towd Point Master Funding Trust 2018-PM22 CO1 , U.S.
Bank National Association, as Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Edward Hanratty on behalf of Joint Debtor Maria Pagan
thanratty@centralnewjerseybankruptcylawyer.com, aaguirre@centralnewjerseybankruptcylawyer.com
Edward Hanratty on behalf of Debtor Richard Pagan
thanratty@centralnewjerseybankruptcylawyer.com, aaguirre@centralnewjerseybankruptcylawyer.com
Jonathan C. Schwalb on behalf of Creditor SN Servicing Corporation
bankruptcy@friedmanvartolo.com
Rebecca Ann Solarz on behalf of Creditor Towd Point Master Funding Trust 2018-PM22 CO1 , U.S.
Bank National Association, as Trustee rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7